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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. BOX 1450 Alexandria, Virginia 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/718,266

11/21/2003

Andre Jestin

065691-0342

22428 FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007 CONFIRMATION NO. 9067
FORMALITIES LETTER
\*OC000000012095457\*

Date Mailed: 03/15/2004

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of \$774 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

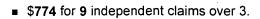
Total additional fee(s) required for this application is \$1674 for a Large Entity

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- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

01 FC:1001 02 FC:1051 770.00 OP 130.00 OP 860.00 OP

Total additional claim fee(s) for this application is \$774



Replies should be mailed to: Mail

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

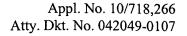
Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

**Customer Service Center** 

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andre JESTIN et al.

Title: CIRCOVIRUS SEQUENCES ASSOCIATED WITH PIGLET

WEIGHT LOSS DISEASE (PWD)

Appl. No.: 10/718,266

Filing Date: November 21, 2003

Examiner: To Be Assigned

Art Unit: 1648

# TRANSMITTAL OF MISSING PARTS OF PATENT APPLICATION

Mail Stop Missing Parts Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed on March 15, 2004, in the above-identified application, transmitted herewith are the missing parts requested to complete the filing of the subject patent application. Applicants resubmit a copy of the Declaration and Power of Attorney filed in the parent application, as originally filed in the above-captioned application on November 21, 2003.

#### Enclosed are:

[X] Copy of Declaration and Power of Attorney (5 pages)

[X] Return Copy of Notice to File Missing Parts (2 pages)

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04 FC:1253 950.00 OP

Applicants hereby petition for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[	]	Extension for response filed within the first month
[	]	Extension for response filed within the second month
[ X	[]	Extension for response filed within the third month
[	]	Extension for response filed within the fourth month
[	]	Extension for response filed within the fifth month

## The filing fee is calculated below:

	Claims as Filed		Included in Basic Fe		Extra Claims		Rate		Fee Totals
Basic Fee		-	<u> </u>				\$770.00		\$770.00
Total Claims:	15	-	20	=	0	X	\$18.00	=	\$0.00
Independ ents:	13	-	3	=	10	x	\$86.00	=	\$860.00
If any Multiple Dependent Claim(s) present: + \$290.00									\$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee \$130.00									\$130.00
[X] Extension fee for response filed within + \$950.00 the third month:									\$ 950.00
						SU	JBTOTAL:	=	\$2,710.00
[ ] Small Entity Fees Apply (subtract ½ of above):								==	\$0.00
TOTAL FILING FEE:									\$2,710.00
TOTAL FEE									\$2,710.00
Difference to pay:						-	\$0.00	-	\$2,710.00

[X] A check in the amount of \$2,710.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

**FOLEY & LARDNER LLP** 

Customer Number: 22428 Telephone:

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Stephen B. Maebius Attorney for Applicant Registration No. 35,264

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.